



Reprinted
February 6, 2009

HOUSE BILL No. 1352

DIGEST OF HB 1352 (Updated February 5, 2009 2:58 pm - DI 52)

Citations Affected: IC 13-11; IC 13-17.

Synopsis: The climate registry. Requires the state of Indiana to become a member of and participate in the climate registry concerning greenhouse gas emissions reporting and reduction. Requires the governor or the governor's designee to sign the registry's statement of principles and goals to become a member of the registry and deliver a copy of the signed statement to the registry before July 1, 2009. Establishes an exception to the registry membership requirement if a petition of opposition is submitted to the governor by the majority of the local economic development commissions in the state. Allows the governor to withdraw the state from the registry if the governor determines that membership causes a loss of jobs or missed opportunities for jobs.

Effective: Upon passage.

Dvorak

January 13, 2009, read first time and referred to Committee on Environmental Affairs.
February 2, 2009, reported — Do Pass.
February 5, 2009, read second time, amended, ordered engrossed.

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First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

HOUSE BILL No. 1352

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 13-11-2-30.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE UPON PASSAGE]: **Sec. 30.5. "Climate registry", for**
4 **purposes of IC 13-17-1-4, refers to the nonprofit corporation:**

5 (1) **whose members include:**

6 (A) **states, territories, and possessions of the United States;**

7 (B) **Indian tribes;**

8 (C) **provinces of Canada; and**

9 (D) **states of Mexico;**

10 (2) **whose purpose is to develop and manage a common**
11 **greenhouse gas emissions reporting system that is capable of**
12 **establishing and supporting various greenhouse gas:**

13 (A) **emissions reporting policies; and**

14 (B) **reduction policies;**

15 **for its members and reporting entities;**

16 (3) **that collects and provides greenhouse gas emissions data**
17 **from members and other entities; and**

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(4) that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code.

SECTION 2. IC 13-11-2-91.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 91.5. (a) "Greenhouse gas", for purposes of section 30.5 of this chapter, means a chemical or physical substance that:

- (1) is emitted into the air; and
- (2) may cause or contribute to climate change.

(b) The term includes carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.

SECTION 3. IC 13-17-1-4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) Subject to subsections (c), (d), and (e), the state shall:

- (1) become a member of; and
- (2) participate in;

the climate registry.

(b) Subject to subsections (c), (d), and (e), the governor or the governor's designee shall:

- (1) sign the climate registry's statement of principles and goals to become a member of the climate registry; and
- (2) deliver a copy of the signed statement to the climate registry;

before July 1, 2009.

(c) Subsections (a) and (b) do not apply if, before signing the climate registry's statement of principles and goals under subsection (b)(1), the governor receives from the majority of the economic development commissions in the state established under IC 36-7-12 a petition opposing membership of the state in the climate registry.

(d) The governor shall withdraw the state from the climate registry if the governor receives from the majority of the economic development commissions in the state established under IC 36-7-12 a petition opposing membership of the state in the climate registry.

(e) The governor may withdraw the state from the climate registry if the governor determines that membership of the state in the climate registry causes either or both of the following:

- (1) A loss of jobs in the state.
- (2) Missed opportunities for jobs in the state.

SECTION 4. An emergency is declared for this act.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Environmental Affairs, to which was referred House Bill 1352, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

DVORAK, Chair

Committee Vote: yeas 6, nays 3.

 HOUSE MOTION

Mr. Speaker: I move that House Bill 1352 be amended to read as follows:

Page 2, line 14, delete "The" and insert "**Subject to subsections (c), (d), and (e), the**".

Page 2, line 18, delete "The" and insert "**Subject to subsections (c), (d), and (e), the**".

Page 2, between lines 23 and 24, begin a new paragraph and insert:

"(c) Subsections (a) and (b) do not apply if, before signing the climate registry's statement of principles and goals under subsection (b)(1), the governor receives from the majority of the economic development commissions in the state established under IC 36-7-12 a petition opposing membership of the state in the climate registry.

(d) The governor shall withdraw the state from the climate registry if the governor receives from the majority of the economic development commissions in the state established under IC 36-7-12 a petition opposing membership of the state in the climate registry.

(e) The governor may withdraw the state from the climate registry if the governor determines that membership of the state in the climate registry causes either or both of the following:

- (1) A loss of jobs in the state.**
- (2) Missed opportunities for jobs in the state."**

(Reference is to HB 1352 as printed February 3, 2009.)

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